

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE K. HENDERSON,

Petitioner,

v.

STATE OF CALIFORNIA,

Respondent.

No. 2:20-cv-1305 KJM DB P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 26, 2020, the magistrate judge filed findings and recommendations, which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The findings and recommendations filed August 26, 2020, are adopted in full;

3 2. This action is dismissed without prejudice to its refiling with a copy of an order from

4 the Ninth Circuit authorizing petitioner to file a second or successive petition; and

5 3. The court declines to issue the certificate of appealability referenced in 28 U.S.C.

6 § 2253.

7 DATED: January 20, 2021.

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9 CHIEF UNITED STATES DISTRICT JUDGE

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